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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,319	11/17/2003	William R. Brosnan	IGTIP077D1/P-299 CIP CON	5253
22434	7590	04/20/2006		EXAMINER
BEYER WEAVER & THOMAS LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			PANDYA, SUNIT	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/716,319	BROSAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sunit Pandya	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 8/2/2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 15-22 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 15-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Acres (US Patent 6,565,434). A detailed reading of Acres by an artisan of ordinary skill would teach all of the claim limitations of the claims above. Specifically, Column 17 lines 54-60 and Column 52 lines 11-23, disclose a translator 353 that integrates protocols between the host and the bonus promotion system. Acres discloses not just a game of chance with master gaming control, column 12 lines 3-14, but additionally column 24 lines 8-25 discloses that each machine communication interface (MCI) further includes a replication port 78, which emulates the communication port on the gaming device, Acres discloses multiple communications ports which are adapted for communication. This facilitates the use of older third party accounting systems even when an MCI is connected to the gaming device's communication port. Acres also discloses communications protocols, Column 17 lines 54-60 and Column 52 lines 11-23, disclose communications protocols used by a gaming machine function on the machine, wherein Acres discloses multiple communications protocols, wherein the machines are adapted for communications using the communications protocols via communication ports. The

MCI can be programmed to perform a translation function wherein the MCI transmits data to the data collection system in whatever language the system requires, e.g. "SAS". With respect to the rest of the details of the claimed subject matter please see columns 41-54 where a detailed description of the Machine Communication Interface is outlined.

### ***Response to Arguments***

Applicant's arguments filed 8/2/2005 have been fully considered but they are not persuasive.

The applicant argues that the reference only teaches the controller communicates using a single communication protocol. The examiner respectfully disagrees with the applicant, Acres in column 21 lines 48-60 discloses multiple communication ports and numerous digital input and output ports. And Column 17 lines 54-60 and Column 52 lines 11-23, discloses communications protocols used by a gaming machine function on the machine, wherein Acres discloses multiple communications protocols, wherein the machines are adapted for communications using the communications protocols via communication ports.

The applicant also argues that reference does not teach of a gaming controller controlling a game of chance played on the machine. The examiner respectfully disagrees with the applicant; Acres in figure 4 discloses a flow chart that inherently teaches of a controller controlling the game begin played on the gaming machine, if the controller was not present/active in the gaming machine the gaming device would not

be functional, considering the fact that controller controls all aspect of the gaming device. Figures 8A & 8B also disclose the circuitry for a controlling device that controls the game of chance played on the machine.

Due to the reasons provided above applicant's arguments have been considered but regarded non-persuasive and thus the rejection is maintained.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunit Pandya whose telephone number is (571) 272-2823. The examiner can normally be reached on M - F: 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Jones can be reached on (571) 272-4438. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SP

CORBETT B. COBURN  
PRIMARY EXAMINER